

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:	*	CASE NO. 24-50770-pwb
	*	
VAUGHNETTE MICHELLE JONES,	*	CHAPTER 13
	*	
Debtor.	*	JUDGE PAUL W. BONAPFEL
	*	

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**MOTION FOR ALLOWANCE OF LATE FILED CLAIM (#12)**

COMES NOW Shmeta Maheshwari (“Maheshwari”), a creditor and party in interest herein, by counsel, and files this motion for allowance of her late-filed proof of claim (Claim No. 12), and shows that good cause exists for the Court to grant her motion, and further shows to the Court as follows:

1.

Debtor filed the within Chapter 13 case on January 23, 2024. On May 1, 2024, the Court entered an Order (Doc. 21) confirming Debtor’s Chapter 13 plan.

2.

Debtor was aware of Maheshwari’s status as a creditor herein. Debtor’s original Chapter 13 filing (Doc. 1) included Schedule E/F, on which Maheshwari was shown as a creditor with an unsecured nonpriority claim for a personal loan in the amount of \$13,000.00 (Doc 1, Page 29). Debtor does not claim the debt owed by her to Maheshwari is contingent, unliquidated, or disputed.

4.

Maheshwari was not aware that she was required to file a proof of claim herein and, instead, believed that Debtor’s inclusion of her claim on Schedule E/F as noncontingent, liquidated, and undisputed was sufficient to guarantee that her claim would be paid in full.

5.

Maheshwari filed her Proof of Claim herein (Claim No. 12) on August 8, 2024, asserting a nonpriority unsecured claim in the amount of \$17,400.00, the same including an original principal amount of \$13,000.00 and interest in the amount of \$4,400.00. Attached to Maheshwari's Proof of Claim is a copy of the Loan Agreement executed by Debtor and Maheshwari on October 13, 2022, and supplemented on December 16, 2022.

WHEREFORE, Maheshwari prays that the Court grant relief as follows:

(a) Allow Maheshwari's claim herein as a nonpriority unsecured claim in the amount of \$17,400.00; and

(b) Grant such other and further relief as it may deem just and proper.

This the 9th of August, 2024.

Respectfully submitted,

/s/

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Robert D. Schwartz  
Counsel for Shweta Maheshwari  
Georgia Bar No. 631159  
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Atlanta, GA 30316-1002  
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**NOTICE OF HEARING**

PLEASE TAKE NOTICE that Shweta Maheshwari (“Maheshwari”) has filed a *Motion For Allowance Of Late Filed Claim* and related papers with the Court seeking an order allowing her Claim No. 12 herein as a nonpriority unsecured claim in the amount of \$17,400.00.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion at **10:00 a.m.** on **August 14, 2024**, in **Courtroom 1401**, United States Courthouse, 75 Ted Turner Drive, SW Atlanta, Georgia, 30303, which may be attended in person or via the Court’s Virtual Hearing Room. You may join the Virtual Hearing Room through the “**Dial-In and Virtual Bankruptcy Hearing Information**” link at the top of the homepage of the Court’s, [www.ganb.uscourts.gov](http://www.ganb.uscourts.gov), or the link on the judge’s webpage, which can also be found on the Court’s website. Please also review the “Hearing Information” tab on the judge’s webpage for further information about the hearing. You should be prepared to appear at the hearing via video, but you may leave your camera in the off position until the Court instructs

otherwise. Unrepresented persons who do not have video capability may use the telephone dial-in information on the judge's webpage.

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney **must** attend the hearing.

You **may** also file a written response to the pleadings with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you **must** attach a certificate stating when, how, and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk the hearing. The address of the Clerk's Office is Clerk, U. S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, SW, Atlanta, Georgia, 30303. You **must** also mail a copy of your response to the undersigned at the address stated below.

Dated: August 9, 2024

/s/  
Robert D. Schwartz  
Counsel for Shweta Maheshwari  
Georgia Bar No. 631159  
BobSchwartzLaw@aol.com  
P. O. Box 160100  
Atlanta, Georgia 30316-1002  
(404) 402-1476

**CERTIFICATE OF SERVICE**

I certify that I have on this date electronically filed the within and foregoing pleading and have served the same via the Court's ECF system as follows:

K. Edward Safir, Esquire: **eds@atlch13tt.com**

Allen M. Bearden, Esquire: **court@legalatlanta.com**

Michael F. Burrow, Esquire: **court@legalatlanta.com**

Office of the United States Trustee **ustpreion21.at.ecf@usdoj.gov**

I further certify that I have this date served the following parties with a copy of the within and foregoing pleading by placing true copies of same in the United States Mail with adequate postage affixed to insure delivery, addressed as follows:

Vaughnette Michelle Jones  
804 Lincoln Crest Drive  
Austell, GA 30106

This the 9th day of August, 2024.

/s/

\_\_\_\_\_  
Robert D. Schwartz  
P. O. Box 160100  
Atlanta, GA 30316-1002  
(404) 402-1476